



## FREMONT PLANNING BOARD

**July 16, 2008**

### **Meeting Minutes**

Approved August 6, 2008

Present: Chairman Roger Barham, Co-Chair and CC Rep. Jack Karcz, Selectman Gene Cordes, Members Leon Holmes, Jr., John (Jack) Downing, Building Official Thom Roy, RPC Circuit Rider David West and Land Use AA/Recording Secretary Meredith Bolduc.  
Peter Bearse joined the meeting at 8:00 pm.

Mr. Barham called the meeting to order at 7:05 pm.

#### MINUTES

Mr. Karcz made the motion to approve the minutes of the July 9, 2008 meeting as written.  
Motion seconded by Mr. Downing with unanimous favorable.

#### SELECTMEN

Mr. Barham reported that the Board has received a July 10, 2008 request from the Board of Selectmen to consider amending the Subdivision Regulations requiring the developer to bring cable access into the development.

Mr. Barham asked if this would be an underground cable structure to cable boxes for each lot. Mr. Cordes said that they are asking that the cable connection be available at the street right-of-way and the owner will bring it into the home. The intent is that all developments have access to Fremont cable and not that for another town.

After some discussion Mr. Karcz made the motion to:

Include the following in the regulation amendments to be considered at the August 6, 2008

#### Public Hearing:

Subdivision: Article III Section 7.2; add new = *The developer shall ensure that Fremont feed cable access is brought into the subdivision at the time of utility construction to readily serve all proposed properties.*

Site Plan Review: Chapter 1 Section 1.14N; add new = *The developer shall ensure that Fremont feed cable access is brought into the residential site to readily serve all proposed properties.*

Motion seconded by Mr. Downing with unanimous favorable vote.

## INCLUSIONARY HOUSING ORDINANCE

Mr. West stated that he has applied (for the Planning Board) to the NH Housing Finance Authority for an Inclusionary Zoning Implementation Program (IZIP) grant to fund the technical assistance in the preparation of an inclusionary zoning ordinance. It was noted that the NH Housing Finance Authority still has \$97,000 to put into this project.

Mr. West noted that according to the recently enacted Workforce Housing bill (HB342) most communities will need to take some action within the next year to address the law's requirement that all communities with zoning to allow 'Workforce Housing' in a majority of their zoning districts. Mr. West said that the as per RSA 36:47-11, RPC is bound to "compile a regional housing needs assessment, which shall include an assessment of the regional need for housing for persons and families of all levels of income. The regional housing needs assessment shall be updated every 5 years and made available to all municipalities in the planning region."

## WORKFORCE HOUSING

Present: Stephanie Schuyler, President of the Workforce Housing Coalition of the Greater Seacoast, Diane Hartley of the Workforce Housing Coalition of Greater Seacoast, Realtor Maureen Murtaugh.

At 7:40 pm Stephanie Schuyler and Diane Hartley met with the Board to conduct a power point presentation on the topic of Workforce Housing. Ms. Schuyler reported that the Workforce Housing Coalition of the Greater Seacoast, which began in 2001, is a catalyst for the development of a range of housing options for the diverse workforce of the Greater Seacoast Region. A range of housing types were shown. Ms. Hartley stated that there is a need for approximately 10,000 housing units in Rockingham County.

The presentation included an introduction to Workforce Housing. There were discussions relative to the issue of the lack of Workforce Housing and the solutions thereof. As per the information in the handout that Ms. Schuyler and Ms. Hartley distributed, Workforce Housing is an economic development issue in that communities need to attract and retain new employees and those workers need housing. They also related that Workforce Housing is an environmental issue in that it allows employees to seek employment closer to their homes.

The presentation also included:

1. Education costs; all types of workforce housing units generates, on average, 0.41 student.
2. Who needs it: Workforce Housing is needed by couples starting out, entry-level municipal employees, medical workers, hospitality workers, service and retail employees.
3. Housing affordability for single or families and as a percentage of income. Using a formula to determine "area median income".
4. Workforce Housing is housing that is affordable for 1) renter households of 3 making 60% of Area Median Income; 2) homeowner households of 4 making 100% of Area Median Income; 3) does not include age-restricted housing; 4) does not include developments with greater than 50% of units having less than 2 bedrooms.
5. What towns can do such as to create Workforce Housing overlay districts, provide density bonuses, reduce lot sizes, and allow accessory apartments.

6. What developers can do such as to create homes that are space and cost efficient, use modular or panelized construction techniques, modify foundation requirements.
7. What businesses can do such relate the impact of a lack of Workforce Housing on your business, advocate for Workforce Housing in your home and business towns.
8. Examples of Workforce Housing shown included a 44 count manufactured/modular homes on 25 acres in Barrington, a 20 unit multi-condo in Exeter, 20 multi-rental apartments in South Berwick Maine and the Squamscott Block in Exeter which is a mixed income/mixed use development.
9. Exeter's Workforce Housing Ordinance (includes density bonuses).
10. Portsmouth's Affordable Housing Ordinance (includes density bonuses).
11. Kennebunk's Town-Owned Property/Homeownership Project in which the town sold a tax-reverted property at a reduced price to a developer who was required to build a single family home that would be affordable to a local working family. A lottery was used to select a qualified home buyer and the resale and income restrictions were used to maintain affordability.

The Workforce Housing Bills were described and discussed as:

1. HB342- Workforce Housing Opportunities - says that effective July 1, 2008 all municipalities must provide reasonable and realistic opportunities for the development of workforce housing and it provides a 6 month appeal process.
2. HB1259 – Local Housing Commissions enables legislation for municipal housing commissions that can advocate for housing issues and allows for affordable housing funds and their administration.
3. HB 1260 - Local Growth Management Reform – reforms statutes on local growth management ordinances and temporary development moratoria requiring need studies, progress reviews and sunset provisions.

There was a general discussion relative to better utilizing resources with reduced costs and energy efficiency programs as well as energy star funding. Ms. Hartley said that there are a lot of State subsidies programs for a developer for low income housing tax credits and there are incentives and bonuses that towns can offer to bring the cost of development down. Ms. Schuyler and Ms. Hartley offered that they would be willing to do a presentation during the voter education process of this ordinance.

The Board thanked Ms. Hartley and Ms. Schuyler for their very informative presentation and they left the meeting at 9:00 pm. Mr. Cordes also left the meeting at this time.

#### RPC COMMISSIONER

At 9:02 pm RPC Commissioner Peter Bearse met with the Board and gave a brief report of the July 9, 2008 monthly RPC Commissioners meeting. Topics included Workforce Housing and HB 342 and Mr. Bearse said the tonight's power point presentation covered this subject. He said that other topics at the RPC meeting were Inclusionary Housing and Innovative Land Use and he showed a handout from that meeting which he recommended the Board review to see if there is a need to develop an inclusionary ordinance. Mr. Barham stated that the Board has already applied to the NH Housing Finance Authority for an Inclusionary Zoning Implementation Program (IZIP) grant to fund the technical assistance in the preparation of an inclusionary zoning

ordinance and are being proactive to pursue the Inclusionary Housing and Innovative Land Use ordinance.

Mr. Barham thanked Mr. Bearse for his report. Mr. Bearse asked the Board to let him know if there was anything they wanted him to follow-up on and he left the meeting at 9:25 pm.

#### RPC - TARGETED BLOCK GRANT (TBG)

Mr. West stated that, as instructed by the Board, he researched how the TBG could best be utilized and has come up with 2 good choices. One would be to create a Wind Turbine Ordinance, as previously discussed by the Board. The second choice would be a Water Resource section to the NRI. There was a discussion relative to which project would best fit with the Town's needs and the TBG. Mr. West said that a Wind Turbine Ordinance may be simpler to draft and/or less costly because there will be a model ordinance that could be modified for Fremont. Mrs. Bolduc suggested that possibly the less costly Wild Turbine Ordinance could be funded by the professional services line in the current budget.

After some discussion the Members agreed to authorize Mr. West to apply to RPC (for the Planning Board) for the TBG for a Water Resource section of the Natural Resource Inventory section of the Master Plan.

#### CAPITAL IMPROVEMENTS PROGRAM (CIP)

Mr. Barham read the following additional information for the CIP as submitted by the respective departments.

##### Cemetery Trustees

The Cemetery Trustees submitted the following answers to additional Planning Board questions:

1. What is the existing spare capacity of the existing cemeteries? *approximately 245 lots/space remaining between the Village (25) and Leavitt (220) cemeteries.*
2. When do we need more land for a cemetery and is the 3 to 5 years accurate? *More than 5 years.*
3. How much land is projected to purchase? *At least 3 to 5 acres will need to be purchased/used for a new cemetery.*

##### Town General Government

Town Administrator Heidi Carlson submitted the following answers (in italics) as answers to further Planning Board questions and additional information for the CIP relative to the Town general government buildings and Emergency Management Services.

Questions for the Town Hall renovations:

1. What is the decreased operating and maintenance cost by adding a new heating system *we assume moving up from 40+ year old furnaces has to be more efficient. We are planning to go to additional zones, so that we can get rid of the current problems with everything calling for heat when really only one area is cold.*
2. Add something about the increased insulation - *We reinsulated the walls when the new siding was added, and in the new renovation work, surely there will be insulation added to the basement area (where there is currently none).*

3. If this project is not currently provisioned for in the CIP, do we need to put aside additional funds? - *We have a Capital Reserve building for this currently, I believe it should have about \$75K in it. The expansion will (at current estimates) be below \$200K, and we expected to just raise the rest via TM appropriation*

Question for the revaluation:

Where will that money come from for the 2010 revaluation? Is there a difference between the money in hand and what will be needed? *If there is a difference, it will not be very much. We also have an operating budget for reappraisal of property, and the contract amount with MRI will be slightly less in a reval year, so we believe it will be a "wash".*

Questions for the generator for the emergency shelter location at the Ellis School:

If "the town has large generator equipment" means the generator at the Town Hall is it fit for the purpose and what is its' capacity; are we really looking at a new generator? *This is unclear at this point, but probably yes. The equipment here has some value if sold or traded, but there is some work to be done. We may need to buy something new.*

#### Fremont School District

At the May 28, 2008 meeting the Board reviewed the worksheet for the Fremont School District which showed an \$8,000,000 to \$15,000,000 projection for additional space to alleviate overcrowding with a timeframe of 5 years. The Long Range School Facilities Planning report was also submitted and was subsequently sent to the Members. Mr. Barham submitted hard copies of the report. He said that he wanted to read the report before making recommendations on the School District worksheet. Mrs. Bolduc reported that she received an e-mail from Kevin Herrmann who is the Chairman of the Long Range School Facilities Planning Committee, through School Financial Administrator Annmarie Scribner who answered the questions posed by the Board; 1) is this the only project for school for the next 5 years? and 2) When will this project be started and completed? Mr. Herrmann stated that 1) *yes, this is the only project* and 2) *2-5 years for the start and completion of the project, if approved by vote.*

#### JOHN GALLOWAY GRAVEL OPERATION

Map 5 Lot 035

Mr. Barham stated that on June 19, 2008 Mr. Galloway was notified that the Board voted to extend his current excavation permit expiration date from July 1, 2008 to August 1, 2008 conditioned upon the following:

1. That the wetland be delineated and flagged in the field for the entire property including the excavation site and the compost operation site, and that information and data be transferred to a plan, certified and stamped by a Certified Soil Scientist and submitted to the Planning Board.
2. That the owner ensure that a monument is visible at the benchmark.

And that upon receipt of the plan the Board will make arrangements to conduct a site walk on the property as part of the permit renewal process and that if the requirements are completed the excavation permit renewal can be granted.

Mr. Barham said that the Board has not heard anything back from Mr. Galloway to date.

## GOVERNOR'S FOREST

Map 3 Lot 002

On July 14, 2008 Mr. Karcz, Mr. Downing and Mr. Roy conducted a site visit at Governor's Forest excavation site and found that the area is "chewed up" and there doesn't appear to be any restoration area apparent, yet more than 5 acres is disturbed. Their observations were that 1) a reference point should be established somewhere near the intersection of Tarah Way and Linda Lane and indicate it's distance above the high water mark; and 2) do some restoration activity and level the area out between Tarah Way and Linda Lane.

Mr. Barham reported that on July 10, 2008 the Board sent notice to Martin Ferwerda that he is required to submit the missing abutter and test pit/benchmark information and change the hours of operation on the renewal application to reflect the current permit. It was agreed by the Board to not require additional restoration at this time.

## PJP, INC

Map 2 Lot 151.2

On July 14, 2008 Mr. Karcz, Mr. Downing and Mr. Roy visited the PJP excavation site and found that 1) a rod driven into the ground 1.1 feet above the high water mark was installed to act as a permanent benchmark to indicate the seasonal high water table; and 2) that access is restricted in the area of the vertical drop by large stones or mounds of gravel placed close together. Much of the barrier was better than 30' from the edge of the drop-off. The conditions were 1) to have the owner mark the benchmark or drive a metal rod down next to the reference rod; and 2) to maintain the barrier along the edge of the drop-off.

Mr. Downing made the motion to add the following conditions to the approval of the 2008 PJP Excavation Permit:

1. That the owner mark the benchmark or drive a metal rod down next to the reference rod.
2. That the owner maintain the barrier along the edge of the drop-off.

Motion seconded by Mr. Holmes with unanimous favorable vote.

It was agreed that the original conditions of the July 1, 2008 excavation approval have been met and the owner will be advised of the additional conditions.

## IRON WHEEL, LLC/Tom Waters

Map 2 Lot 106

The Board received a copy of a July 16, 2008 correspondence from Building Official Thom Roy to Town Counsel John Ryan relative to commercial activity at the site of the above reference property. Mr. Roy provided Attorney Ryan with a file of relevant information and suggested that "it is apparent that a commercial operation is taking place at the site and the jurisdiction of the Planning Board through site plan review would be appropriate."

COOPER'S CORNER/ John Wilder  
Map 3 Lot 037

The Board received a copy of a July 15, 2008 written "notice of violation and cease of activity" from Building Official Thom Roy to John Wilder for Cooper's Corner, LLC.

Mr. Roy noted in his correspondence that approximately 30,000 square feet (100 x 300 feet) of the portion of the site between Spaulding Road and immediately to the west and adjacent to the well house is defined on the plan as wetland. This area was to be left undisturbed. Due to the recent removal of all vegetation and filling of that area Mr. Roy listed the following offenses:

1. Violation of the conditions of the Site Plan Approval; for filling or otherwise disturbing the wetland and watershed protection area within the site.
2. Violation of the Special Exception granted on Case #4-029; areas outside of the authorized limits have been disturbed.
3. Violation of Article IX Section H-2 of the Fremont Zoning Ordinance; watershed areas have been disturbed without a Special Exception.

Mr. Roy also requested that Mr. Wilder provide a mitigation and restoration plan compliant to his approved site plan and the Fremont Zoning Ordinance and also that he voluntarily contact NH DES relative to wetlands disturbance and a permit.

COUNTRYSIDE ESTATES  
Map 3 Lot 001

The Board received a copy of a June 25, 2008 correspondence from Albert Witham, owner of Countryside Estates, to the Selectmen relative to permission to install a streetlight at the corner of Rt 107 and Christopher Lane. Also received was a copy of the Selectmen's July 10, 2008 response referring Mr. Witham to the Planning Board citing that lighting is an area covered by the Town's Site Plan Review Regulations.

BUDGET

Mr. Barham reported that the Board has received notice from the Selectmen that 2009 Planning Board core budget is due in their office by August 7, 2008. It was agreed that Mr. Barham will work with Mrs. Bolduc on the budget and will present it to the Members at the next meeting, which is August 6, 2008.

IMPACT FEES

It was agreed to discuss the July 9, 2008 Impact Fee workshop and the possibility of an updated Impact Fee Study at the next meeting.

CORRESPONDENCE

1. Notice of the November 12 – 14 annual Local Government Center conference. Program details and registration will be available soon.

Mr. Karcz made the motion to adjourn at 10:07 pm.  
Motion seconded by Mr. Holmes with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

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